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| APPLICATION NO. | FI | LING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | ATTORNEY DOCKET NO. CONFIRMATION NO. | |
|-----------------|--|------------|----------------------|---------------------|--------------------------------------|--|
| 09/174,461 | 1 | 0/19/1998 | KATSUMI IIJIMA | 35.C13021 5700 | | |
| 5514 | 7590 | 12/07/2004 | | EXAMINER | | |
| | FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA | | | | LEE, RICHARD J | |
| | S, NY 10112 | | | ART UNIT | ART UNIT PAPER NUMBER | |
| | • | | | 2613 | | |

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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| • | Application No. | Applicant(s) | |
|--|---|--|---|
| Advisory Action | 09/174,461 | IIJIMA ET AL. | |
| Advisory Action | Examiner | Art Unit | |
| | Richard Lee | 2613 | |
| The MAILING DATE of this communication appe | ars on the cover sheet with the c | orrespondence add | ress |
| THE REPLY FILED 21 October 2004 FAILS TO PLACE Therefore, further action by the applicant is required to average final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114. | oid abandonment of this application and indication of the application | ation. A proper repl n places the applica | y to a ition in |
| PERIOD FOR RE | PLY [check either a) or b)] | | |
| a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offic timely filed, may reduce any earned patent term adjustment. See 37 C | Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF THE date on which the petition under 37 CFI of extension and the corresponding amount the shortened statutory period for reply the later than three months after the mail | g date of the final rejecting FINAL REJECTION. R 1.136(a) and the approperture of the fee. The appropriginally set in the final | on. See MPEP opriate extension ropriate extension Office action; or |
| 1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF | R 1.191(d)), to avoid dismissal o | | |
| 2. The proposed amendment(s) will not be entered be | ecause: | | |
| (a) they raise new issues that would require further | er consideration and/or search (s | see NOTE below); | |
| (b) they raise the issue of new matter (see Note b | elow); | | |
| (c) they are not deemed to place the application in issues for appeal; and/or | n better form for appeal by mate | rially reducing or sir | mplifying the |
| (d) they present additional claims without canceling | ng a corresponding number of fi | nally rejected claim | s. |
| NOTE: | | | |
| 3. Applicant's reply has overcome the following reject | ion(s): | | |
| 4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s). | be allowable if submitted in a se | parate, timely filed | amendment |
| 5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because: See | | dered but does NO | T place the |
| 6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection. | ause it is not directed SOLELY to | o issues which were | e newly |
| 7. For purposes of Appeal, the proposed amendments explanation of how the new or amended claims we | | | and an |
| The status of the claim(s) is (or will be) as follows: | | | |
| Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: <u>1-7 and 25-31</u> . Claim(s) withdrawn from consideration: | | | |
| 8.☐ The drawing correction filed on is a)☐ appr | oved or b) disapproved by the | ne Examiner. | |
| 9. Note the attached Information Disclosure Statemen | it(s)(PTO-1449) Paper No(s) | • | |
| 10. Other: | Ć | Richard Lee Primary Examiner Art Unit: 2613 | |

Continuation of 5. does NOT place the application in condition for allowance because: all the limitations have been previously addressed Therefore, applicant's arguments are deemed not persuasive.